

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:11-cr-00085-MR-DLH**

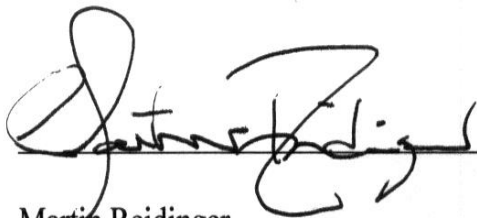
UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
DAVID G. SMITH,)	
)	
Defendant.)	
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THIS MATTER is before the Court *sua sponte* to set a date for the final determination of restitution.

For the reasons stated in open court at sentencing, and pursuant to 18 U.S.C. § 3664(d)(5), the Court defers the final determination of restitution in this matter until December 30, 2013, at which time the Court shall hold a hearing on the restitution issue.

Accordingly, **IT IS, THEREFORE, ORDERED** that the final determination of restitution in this matter is hereby **DEFERRED** until **December 30, 2013**, at which time the Court shall hold a hearing on the restitution issue. The parties will be notified at a later date of the time of such hearing.

IT IS FURTHER ORDERED that the parties shall confer and attempt to reach a stipulation regarding the amount of restitution to be paid. Such stipulation, if any, shall be filed on or before **December 16, 2013**. If the parties are unable to stipulate to the restitution amount, the Government shall file a statement of its position on restitution on or before **December 16, 2013**. The Defendant may respond to the Government's statement on or before **December 23, 2013**.


Martin Reidinger
United States District Judge

